IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 22ND NOVEMBER 2006 / 1ST AGRAHAYANA 1928

Bail Appl..No. 6871 of 2006()

CRIME NO.474/05 OF KANNUR TOWN POLICE STATION

PETITIONERS/ACCUSED 1 AND 2:

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1. K. SAKARIA, S/O. PAKKAR,
   AGED 53 YEARS, BEEDI ROLLER, CHALIL HOUSE, THALAP,
   NEAR JUMA MASJID, P.O. PALLIKUNNU, KANNUR-4.

2. C.H. YASSIR, S/O. SAKARIA,
   AGED 20 YEARS, CHALIL HOUSE, THALAP,
   NEAR JUMA MASJID, P.O. PALLIKUNNU, KANNUR-4.

BY ADV. SRI.P.M.PAREETH

RESPONDENT: COMPLAINANT:

STATE OF KERALA,
REPRESENTED BY SHO, KANNUR TOWN POLICE STATION
THROUGH PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 22/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO. 6871 OF 2006

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DATED THIS THE 22nd DAY OF NOVEMBER, 2006

O R D E R

In this Petition filed under Sec. 438 Cr.P.C. the petitioners who are accused Nos.1 and 2 in Crime No.474/06 of Kannur Town Police Station for offences punishable under Sections 143, 147, 148, 447, 323, 324 and 308 read with section 149 I.P.C., seek anticipatory bail.

2. I heard the learned counsel for the petitioners and the learned Public Prosecutor.

3. Having regard to the nature of the allegations levelled against the petitioners and the other circumstances of the case, I am inclined to grant anticipatory bail to the petitioners. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release the petitioners on bail for a period of one month in the event of their arrest in connection with the above case on each of them executing a bond for Rs. 10,000/- with two solvent sureties each for the like amount to the satisfaction of the said officer and subject to the following conditions:

1. Petitioners shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. Petitioners shall make themselves available for interrogation as and when required by the Investigating Officer.

3. Petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

4. Petitioners shall not commit any offence while on bail.

5. Petitioners shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,JUDGE.

dsn